IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of   Docket No: A8644

Lynh NGUYEN

Appln. No.: 09/750,475   Group Art Unit: 2152

Confirmation No.: 7832   Examiner: Dohm CHANKONG

Filed: December 28, 2000

For: DATA SOURCE INTERFACE ENHANCED ERROR RECOVERY

RESPONSE UNDER 37 C.F.R. § 1.111

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated June 22, 2006, reconsideration and allowance of

the subject matter are respectfully requested. Claims 1-22 are all the claims pending in the

application. Applicant respectfully submits that the pending claims define patentable subject

matter.

Claims 1-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Polizzi* in

view of *Gunther*. Claims 1-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over

Polizzi in view of *Rizvi*. Claims 1-19 are rejected under 35 U.S.C. § 103(a) as being

unpatentable over *Polizzi* in view of *Mastors*. Claims 20-22 are rejected under 35 U.S.C. §

103(a) as being unpatentable over *Polizzi* and *Guenther* in view of *Brendel*. Applicant

respectfully submits that the claimed invention would not have been rendered obvious in view of

the combinations of the cited prior art.

Claim 1, for example, is directed to a method for automatically re-establishing a

connection to a data source accessible by a plurality of remote applications. The claim requires

"detecting unavailability of the data source in response to an initial request for the data source by

the remote application." The claim also requires "dynamically detecting availability of the data

source in response to a subsequent request for the data source and re-connecting the data source

to the remote application in response to the subsequent request." The Examiner appears to agree

that *Polizzi* does not disclose these features and cites *Gunther*, *Rizvi* and *Mastors* to satisfy these

deficiencies in *Polizzi*. Applicant respectfully submits, however, that neither *Polizzi*, *Gunther*,

Rizvi nor *Mastors*, alone or in combination, teach or suggest either of these features, and hence

do not render the claims unpatentable.

With respect to independent claim 1, the Examiner takes the position that *Polizzi*

discloses many of the features recited in claim 1, but admits that *Polizzi* fails to teach or suggest

"...detecting unavailability of the data source in response to an initial request for the data source

by the remote application...dynamically detecting availability of the data source in response to a

subsequent request for the data source and re-connecting the data source to the remote

application in response to the subsequent request" as required by claim 1. The Examiner

attempts to cure this deficiency by relying on portions of *Gunther* (column 9, lines 18-20 and 16-

35) for teaching a browser detecting the failure of a server to reply. However, Applicant

respectfully submits that even if *Gunther* teaches a browser that detects the failure of a server to

reply as asserted by the Examiner, *Gunther* fails to teach or suggest "dynamically detecting

availability of the data source in response to a subsequent request for the data source and re-

connecting the data source to the remote application in response to the subsequent request" as

required by claim 1. Rather, *Gunther* is directed to a policy whereby a client retries entries that

were marked "Bad" at a fairly frequent interval at least once an hour. See *Gunther* column 9,

lines 26-35.

Further, with respect to independent claim 1, the Examiner attempts to cure this

deficiency by relying on portions of *Rizvi* (column 4, lines 52-58 and 29-37) for teaching a client

driver interface that chooses to reconnect the database server if the client driver interface

determines if the database server is currently active. However, Applicant respectfully submits

that even if *Rizvi* teaches a client driver interface that chooses to reconnect the database server as

asserted by the Examiner, *Rizvi* fails to teach or suggest "dynamically detecting availability of

the data source in response to a subsequent request for the data source and re-connecting the data

source to the remote application in response to the subsequent request" as required by claim 1.

Rather, *Rizvi* is directed to a client driver interface that selects database servers from a pool of

database servers that have access to a database. See *Rizvi* column 5, lines 50-52. The client

driver interface automatically performs the necessary steps to connect to the database server. As

a result, the connection pool can reduce the overhead required in connecting the client driver

interface to a new database server after the occurrence of a database session failure. See *Rizvi*

column 5, lines 54-59. However, nowhere does *Rizvi* mention or suggest dynamically detecting

the availability of the data source in response to a subsequent request for the data source.

Additionally, with respect to independent claim 1, the Examiner attempts to cure this

deficiency by relying on portions of *Mastors* (column 6, lines 18-26 and column 6, line 64-

column 7, line 4) for teaching a client that writes data to a file at the client and creates an

optimized log file of the disconnected writes if the server is unavailable. However, Applicant

respectfully submits that even if *Mastors* teaches a client that writes data to a file at the client and

creates an optimized log file of the disconnected writes as asserted by the Examiner, *Rizvi* fails to

teach or suggest "dynamically detecting availability of the data source in response to a

subsequent request for the data source and re-connecting the data source to the remote

application in response to the subsequent request" as required by claim 1. Rather, *Mastors* is

directed to a copy-file-to-server routine by looking up an operation in the CRED table based on a

file. See *Mastors* column 7, lines 5-10. Further, *Mastors* never mentions or suggests

dynamically detecting the availability of the data source in response to a subsequent request for

the data source.

For at least these reasons it is respectfully submitted that claim 1, and the claims that
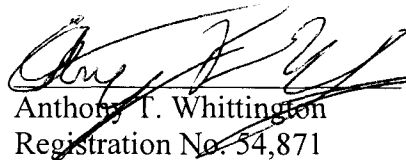
depend therefrom, are patentable.

Independent claims 8 and 15 recite similar limitations to those discussed above that are

missing from the prior art. Accordingly, claims 8 and 15, and the claims that depend therefrom,

are patentable for at least the same reasons discussed above. Accordingly, Applicant respectfully

requests that the Examiner withdraw the rejection.

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Further, claims 20-22 depend from claims 1, 8 and 15, respectively, and are patentable

for at least the same reasons since the portions of *Brendel* relied on in the Office Action do not

overcome the deficiencies of *Polizzi Gunther*, *Rizvi* and *Mastors*.

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC   Anthony T. Whittington
Telephone: (202) 293-7060   Registration No. 54,871
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: **September 7, 2006**